

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 90594

Stewart Henderson McLean Jr.
418 Evesham Avenue
Baltimore MD 21212

18 Willow Avenue

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on March 22, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201 (d), failure to store trash in cans with tight fitting lids; section 13-7-310, 312, failure to remove all junk, trash and debris on residential property.

On March 22, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Jeffrey Radcliffe issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: Stewart Henderson McLean, Respondent and Jeffrey Radcliffe, Baltimore County Code Enforcement Officer.

Testimony revealed that the property which is the subject of this hearing is a rental property located in Towson. Mr. McLean has rented the property to a Towson University student. Inspector Radcliffe has been to the property on numerous occasions and testified that his office has had 7 prior cases involving this property. The evidence presented clearly showed that the Respondent is guilty of storing trash in cans without tight fitting lids as well as having trash, junk and debris about the property.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that should the property not be brought into compliance and all trash junk and debris removed from the site as well as all trash being stored in proper trash receptacles by April 30, 2011, then the County shall be authorized to send a contractor onto the property for purposes of cleaning same and bringing the property into compliance.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the \$1,000.00 civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 21st day of April 2011

Signed: ORIGINAL SIGNED
Timothy M. Kotroco
Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.